

Message Text

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ACTION DLOS-09

INFO OCT-01 EUR-12 ISO-00 ACDA-12 AGRE-00 AID-05
CEA-01 CEQ-01 CG-00 CIAE-00 COME-00 DODE-00
DOTE-00 EB-08 EPA-01 SOE-02 DOE-15 FMC-01 TRSE-00
H-01 INR-10 INT-05 IO-13 JUSE-00 L-03 NSAE-00
NSC-05 NSF-01 OES-07 OMB-01 PA-01 PM-05 SP-02
SS-15 ICA-11 OIC-02 /150 W
-----023252 051902Z /47

R 051810Z JUL 78
FM AMEMBASSY MOSCOW
TO SECSTATE WASHDC 3935

C O N F I D E N T I A L SECTION 01 OF 03 MOSCOW 15631

E.O. 11652: GDS
TAGS: PLOS
SUBJECT: YAKOVLEV ON SEABED MINING AND OTHER LOS ISSUES

REF: STATE 158686

SUMMARY: YAKOVLEV ARGUED THAT THE SOVIET COMPROMISE
ON SEABED MINING WAS AN HONEST ATTEMPT TO COMPROMISE
AND CLAIMED THE U.S. AND EC POSITIONS ARE UNREALISTIC.
ON THIS ISSUE HE EVIDENCED SOME FLEXIBILITY FOR THE
COMING LOS SESSION. HOWEVER, ON CONTINENTAL MARGINS,
HE SHOWED NO WILLINGNESS TO BEND FROM THE SOVIET
INSISTENCE ON A 300-MILE MAXIMUM LIMIT. CONCERNING
THE COUNCIL HE WISHED TO DEFEND THE GAINS ALREADY
MADE AND TO KEEP THE NUMBER OF MEMBERS TO THOSE
CURRENTLY ENVISAGED. HE THOUGHT ANY SYSTEM OF
WEIGHTED VOTING WAS UNACHIEVABLE ALTHOUGH A THREE-
FOURTHS RULE, WHILE DIFFICULT, WAS STILL POSSIBLE.
END SUMMARY.
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1. EMBOFF MET JUNE 30 WITH MFA COUNSELOR AND
SOVIET LOS DEL MEMBER I. I. YAKOVLEV WHO WAS IN HIS
USUAL LOQUACIOUS MOOD AND NEEDED LITTLE PROMPTING
TO LAUNCH INTO A DISCOURSE ON THE SOVIET LOS
POSITIONS. THE FOLLOWING ARE THE MAIN POINTS OF
HIS COMMENTARIES ON SEABED FINANCING, ALLOCATION OF

COUNCIL SEATS, AND CONTINENTAL MARGINS.

2. SEABED FINANCING: THE SOVIET PROPOSAL WAS A GENUINE EFFORT ON THEIR PART TO ADVANCE THE MATTER TOWARDS A COMPROMISE. IT WAS NOT MADE WITH THE INTENTION OF ISOLATING THE U.S. OR OF MAKING IT MORE DIFFICULT TO RESOLVE THE MATTER IN THE COMING SESSION. IN THE SOVIET VIEW THE U.S. FIGURES FOR FINANCING ARE SO LOW "IT IS A LAUGH." THEY COULD NEVER BE ACCEPTED BY THE GROUP OF 77. HE PROFESSED TO BE SURPRISED THAT THE U.S. WOULD OBJECT TO THE SOVIET PROPOSAL, SINCE "EVEN EVENSEN WENT FURTHER THAN WE HAVE." HE CLAIMED THAT THE U.S. AND THE EC STATES ARE "UNDERESTIMATING" THE DIFFICULTY OF REACHING A COMPROMISE AND, BY COMING IN WITH SUCH A MINIMAL STARTING POSITION, ARE MAKING COMPROMISE DIFFICULT AND "UNDERMINING THE ENTIRE NEGOTIATIONS."

3. YAKOVLEV INDICATED THAT THE SOVIET DELEGATION WOULD NOT BE WEDDED TO THEIR PROPOSAL IN THE COMING SESSION AND REFERRED TO IT AS "BAIT" WHICH HAD BEEN PUT OUT TO ENCOURAGE COMPROMISE. HE SAID THE SOVIETS WERE ALREADY LOOKING AT VARIOUS POSSIBILITIES AND CONSULTING WITH OTHER STATES TO SEE IF A SOLUTION COULD BE FOUND. HE URGED THAT THE CONFIDENTIAL

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U.S. AND EC STATES ALSO TRY TO COME UP WITH "SEVERAL APPROACHES," "SEVERAL PACKAGES" WHICH WOULD ASSIST COMPROMISE. THIS IS WHAT THE SOVIETS WOULD BE DOING. THE ESSENTIAL POINT, HE THOUGHT, WAS FOR THE U.S. TO FIND A "SALABLE" POSITION, WHICH ITS CURRENT ONE WAS NOT. HE CONTENDED THAT THE U.S. APPROACH WOULD RESULT IN "UNDERFINANCING" AND THAT THIS WAS A MAJOR CONCERN OF THE GROUP OF 77. AS FOR THE SPECIFIC PERCENTAGES WHICH WOULD BE AGREED ON FOR THE FINANCING, THIS COULD BE LEFT TO THE FINANCIAL EXPERTS TO RESOLVE.

4. HE ALSO DENIED THAT THE USSR WOULD NOT BE AMONG THE "FIRST GENERATION" OF MINERS, SAYING THAT THIS DEPENDED ON HOW LONG THE FIRST GENERATION LASTED. IF IT IS DEFINED AS ONLY ONE OR TWO YEARS, PROBABLY THE USSR WOULD NOT BE "FIRST GENERATION." BUT IF, AND HE THOUGHT IT MORE LIKELY, ONE DEFINES THE FIRST GENERATION AS THOSE WHO EXPLOIT WITHIN THE FIRST FIVE TO TEN YEARS, THEN THE USSR WOULD PROBABLY BE AMONG THE "FIRST GENERATION."

5. COUNCIL VOTING AND SEATS: YAKOVLEV SAID THAT

THE SITUATION REGARDING THE COUNCIL WAS "DANGEROUS" AND THAT THE CURRENT UNDERSTANDING COULD BE "LOST" IF IT WERE NOT CAREFULLY HANDLED. BASICALLY HE THOUGHT THAT AN OVERALL THREE-FOURTHS RULE IN VOTING "COULD BE SALABLE" BUT THAT WEIGHTED VOTING IS UNACCEPTABLE TO THE MAJORITY. EVEN THE THREE-FOURTHS REQUIREMENT MAY BE IN DIFFICULTY AND THE CONFERENCE MAY HAVE TO SETTLE ON TWO-THIRDS PLUS ONE. THEREFORE, THE USSR IS NO LONGER SUPPORTING WEIGHTED VOTING AND WILL CONCENTRATE ON PRESERVING AN OVERALL THREE-FOURTHS RULE.

6. HE REMARKED THAT WITHIN THE CONFERENCE THERE WAS A FEELING WHICH HE ATTRIBUTED TO OTHER STATES
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(COMMENT: BUT WHICH BY IMPLICATION HE LED EMBOFF

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H-01 INR-10 INT-05 IO-13 JUSE-00 L-03 NSAE-00
NSC-05 NSF-01 OES-07 OMB-01 PA-01 PM-05 SP-02
SS-15 ICA-11 OIC-02 /150 W
-----023340 051903Z /47

R 051810Z JUL 78
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C O N F I D E N T I A L SECTION 02 OF 03 MOSCOW 15631

TO BELIEVE THAT THE USSR SHARED) THAT THE U.S. WAS
ATTEMPTING TO GAIN A STRANGLE-HOLD ON THE COUNCIL.

HE SAID "OTHERS FELT" THAT THE U.S. WOULD CONTROL TWO PARTS OF THE COUNCIL, THE EXPLOITING STATES AND THE IMPORTERS, AND WOULD HAVE GREAT INFLUENCE IN THE GEOGRAPHICAL GROUPS. THEREFORE, AN ATTEMPT TO GET WEIGHTED VOTING IN ADDITION WOULD NOT BE LOOKED UPON FAVORABLY AND COULD PRODUCE "A REACTION." HE FINISHED ON THIS POINT BY NOTING THAT THE THREE-FOURTHS RULE COULD BE VIEWED AS A KIND OF WEIGHTED VOTING, AND FOR THIS REASON THE U.S. SHOULD BE CONTENT WITH IT AND NOT TRY FOR MORE.

7. YAKOVLEV SPOKE BRIEFLY OF THE SOVIET CONCERNS ABOUT THE NUMBER OF SEATS ON THE COUNCIL. HE SAID THAT THEY DID NOT THINK THAT ANY INCREASES OVER THE NUMBER GENERALLY ENVISAGED AT THIS POINT WOULD BE IN THE INTERESTS OF THE U.S. OR THE USSR. HE
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NOTED THAT THE GROUP OF 77 IS ALREADY CONCERNED THAT THE DEVELOPED STATES ARE OVERREPRESENTED AND THAT THEY WOULD INSIST ON MORE REPRESENTATION IF THE NUMBER OF SEATS WERE TO BE "OPENED UP" AGAIN. THE USSR SAW A POTENTIAL "DILUTION" OF INFLUENCE IF THE SIZE OF THE COUNCIL WERE INCREASED. FOR EVERY NEW DEVELOPED-NATION SEAT, HE FORESAW SEVERAL ADDITIONAL SEATS BEING GIVEN TO THE GROUP OF 77. IN PARTICULAR, HE NOTED THAT THE ARAB STATES AS SUCH ARE NOT YET ALLOCATED A SEAT ON THE COUNCIL BUT WOULD PROBABLY INSIST ON ONE WERE THE NUMBER OF SEATS TO BE INCREASED. THIS WOULD "UNLEASH THE APPETITES" OF THE OTHERS ON THE GROUP OF 77 AND THE RESULT WOULD BE A COUNCIL WITH MANY MORE MEMBERS THAN NOW, AND CONSEQUENT "DILUTION" OF INFLUENCE OF THOSE ALREADY ON THE COUNCIL.

8. CONTINENTAL MARGIN: WITH HARDLY A PAUSE FOR BREATH YAKOVLEV LAUNCHED UNPROMPTED INTO A LONG DISCOURSE ON THE SOVIET POSITION ON THE LIMITATION ON THE CONTINENTAL MARGIN. HE CALLED THE IRISH FORMULA AN INADEQUATE COMPROMISE WHICH HAD THE FIRM SUPPORT OF "ONLY A FEW" (NOT MORE THAN 25 OR 30) STATES BECAUSE IT FAVORED THE BROAD MARGIN STATES AND OFFERED LITTLE TO THE GREAT MAJORITY OF THE STATES PARTICIPATING IN THE CONFERENCE. HE ARGUED AGAINST THE IRISH FORMULA ON TECHNICAL GROUNDS AS WELL AS POLITICAL. HE SAID IT WOULD LEAD TO NUMEROUS TECHNICAL DISPUTES ABOUT THE PRECISE POINTS WHICH WOULD DEFINE THE OUTER LIMIT OF THE CONTINENTAL MARGIN AND COULD RESULT IN A LINE WHICH WOULD BE EXCESSIVELY COMPLEX AND DIFFICULT TO

CHART. HE ARGUED FOR THE SOVIET FORMULA AS OFFERING
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A REALISTIC ALTERNATIVE WHERE THE LINE DEFINING
THE LIMITS WOULD BE PRECISELY DRAWN. ASKED HOW
ONE WOULD DEFINE MARGINS BETWEEN 200 AND 300 MILES,
YAKOVLEV INDICATED THAT THIS WOULD BE MORE DIFFICULT
BUT THOUGHT THAT AN "APPROPRIATE" FORMULA WOULD BE
FOUND. HE SPOKE FAVORABLY OF THE IRISH FORMULA
IN THIS CONTEXT BUT AVOIDED ENDORSING IT AS THE
SOVIET CHOICE.

9. YAKOVLEV CLAIMED THAT THE BASIC QUESTION IN
THIS ISSUE WAS HOW TO ARRIVE AT A FORMULA WHICH
WOULD SATISFY BOTH THE BROAD MARGIN STATES AND
THE MAJORITY OF OTHERS BY ESTABLISHING A ZONE
BEYOND 200 MILES WHICH WOULD BE "MORE LIBERAL"
THAN THAT ESTABLISHED FOR THE AREA UP TO 200 MILES.
HE CLAIMED THAT THIS WOULD BE INEVITABLE IF ANY
KIND OF REVENUE SHARING WERE AGREED, SINCE THE
INTERNATIONAL AUTHORITY WOULD HAVE TO HAVE ACCESS
TO THE BOOKS OF THOSE EXPLOITING THE REGION TO BE
SURE THERE WAS NO "CHEATING." HENCE, THERE WAS NO
REALISTIC POSSIBILITY OF A ZONE BEYOND 200 MILES
BEING THE SAME AS THAT WITHIN 200 MILES; IT WOULD
HAVE TO BE MORE "OPEN" AND LESS RESTRICTIVE. HE
CALLED 300 MILES "MORE THAN ENOUGH FOR ANY STATE"
AND MORE THAN ALL BUT A VERY FEW WOULD GET IN ANY CASE.

10. COMMENT: OVERALL YAKOVLEV SEEMED LEAST RIGID
ON THE QUESTION OF SEABED FINANCING AND MOST UNBEND-
ING ON THE CONTINENTAL MARGIN ISSUE. HE UNDERLINED
THIS IN AN ALMOST UNCONSCIOUS WAY BY ARGUING THE
ENTIRE CONTINENTAL MARGIN QUESTION IN TERMS OF
WHAT THE SOVIET UNION WANTED, WITHOUT MUCH REFERENCE
TO THE GROUP OF 77 OR OTHER STATES' DESIRES. IN
CONTRAST, ON SEABED MINING HE TRIED TO SPEAK FOR
THE GROUP OF 77 AND TO PORTRAY THE SOVIETS AS THE

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NSC-05 NSF-01 OES-07 OMB-01 PA-01 PM-05 SP-02
SS-15 ICA-11 OIC-02 /150 W

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R 051810Z JUL 78

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C O N F I D E N T I A L SECTION 03 OF 03 MOSCOW 15631

HONEST BROKERS ATTEMPTING TO FACILITATE A SOLUTION
IN A RELATIVELY DISINTERESTED WAY.

11. HIS PRESENTATION ON THE COUNCIL FELL IN-BETWEEN.
CLEARLY MOST OF THE CONCERNS WHICH HE ATTRIBUTED
TO "OTHER STATES" WERE SHARED BY THE USSR, PARTICULARLY ON THE QUESTION OF VOTING. AS FOR "OPENING UP" THE ISSUE OF COUNCIL SEATS, HE APPEARED QUITE DEFENSIVE, WISHING TO PRESERVE WHAT HAD ALREADY BEEN GAINED RATHER THAN LOSE OR "DILUTE" SOVIET INFLUENCE BY ENLARGING THE NUMBER OF MEMBERS.
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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: SEABED, MINING, POLICIES, MEETINGS, FOREIGN POLICY POSITION, FINANCIAL CONTRIBUTIONS, PROGRAMS (PROJECTS)
Control Number: n/a
Copy: SINGLE
Draft Date: 05 jul 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978MOSCOW15631
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Expiration:
Film Number: D780276-0185
Format: TEL
From: MOSCOW
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780795/aaaadbzk.tel
Line Count: 307
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 5e0afc7a-c288-dd11-92da-001cc4696bcc
Office: ACTION DLOS
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 6
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 78 STATE 158686
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 29 jun 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 2115620
Secure: OPEN
Status: NATIVE
Subject: YAKOVLEV ON SEABED MINING AND OTHER LOS ISSUES
TAGS: PLOS, UR, US
To: STATE
Type: TE
vdkgvwkey: odhc://SAS/SAS.dbo.SAS_Docs/5e0afc7a-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014